

IDAHO REAL ESTATE APPRAISER BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 8/7/2017

BOARD MEMBERS PRESENT: Paul J Morgan - Chair
H Scott Calhoun
B Jane McClaran
Eric J Brinton
Douglas D Vollmer

BUREAU STAFF: Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Landon Brown, Board Prosecutor
Debbie Sexton, Management Assistant
Cesley Metcalfe, Technical Records Specialist
Dicsie Gullick, Management Assistant

The meeting was called to order at 8:30 AM MDT by Paul J Morgan.

APPROVAL OF MINUTES

Mr. Vollmer made a motion to approve the minutes of 6/12/2017, 6/30/2017 and 7/21/2017. It was seconded by Mr. Calhoun. Motion carried.

INTRODUCTION OF NEW BOARD MEMBER

Mr. Morgan introduced and welcomed Jane McClaran to the Board.

EXECUTIVE ORDER

Mr. Toryanski reviewed the Executive Order issued by Acting Governor Little which requires State agencies to submit a report to the Office of the Governor no later than July 1, 2018. The report will assess whether the licensure requirements are necessary and in the public interest while providing recommendations for improvement, modification or elimination. Mr. Toryanski also updated the Board on the information and process for public comment which has been added to the Board's website.

LEGISLATIVE REPORT

Mr. Toryanski gave the legislative report. He informed the Board that the proposed rule regarding the USPAP update and Appraisal Management

Company fee pass-through was sent to the Governor's Office on August 4, 2017 and has been approved. The legislative idea regarding opine to value has been submitted to the Governor's Office and approved. The actual language for the law proposal regarding opine to value will be submitted by the deadline of August 18, 2017.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$453,475.18 as of 7/31/2017.

FY 2018 CONTRACT RENEWAL

Ms. Hall presented to the Board members the FY 2018 Contract Renewal. Mr. Calhoun made a motion to approve the FY 2018 Contract Renewal and authorize the Board Chair to sign on behalf of the Board. It was seconded by Mr. Vollmer. Motion carried.

DISCIPLINE

Mr. Brown presented a Stipulation and Consent Order in case REA-2017-3. Mr. Calhoun made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Vollmer. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

Ms. Peel presented a Notice of Violation and Settlement Order in case REA-2018-1. Ms. McClaran made a motion to approve the Settlement Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Brinton. Motion carried.

The Board reviewed the probation log.

Mr. Calhoun made a motion to release Mr. Tye from probation pending a written request for release received from the licensee in regard to case number REA-2016-7. It was seconded by Mr. Brinton. Motion carried.

Mr. Brinton made a motion to release Ms. Lyda from probation in regard to case number REA-2016-2. It was seconded by Mr. Calhoun. Motion carried.

OLD BUSINESS

Mr. Hales reviewed a draft of proposed legislation on definition of appraisal review and opine to value with members of the Board. Mr. Calhoun made a

motion to direct Mr. Hales to submit the draft to the Governor's office. It was seconded by Mr. Brinton. Motion carried.

Mr. Calhoun made a motion to direct Bureau staff to send out a postcard to all licensees after laws have posted in the fall notifying them of the amendment to Idaho Code § 54-4104(4) and Idaho Code § 54-4105A. It was seconded by Mr. Brinton. Motion carried.

NEW BUSINESS

APPRAISAL MANAGEMENT COMPANY APPLICATIONS

Ms. Hall presented the Board with a draft of the proposed renewal form for Appraisal Management Companies. Discussion was held regarding some of the information being unknown until federal rules are in place. No action was taken. Ms. Hall stated this would be on the agenda again in the future when more information is known.

Ms. Hall presented the Board with a draft of the proposed changes to the current application for Appraisal Management Companies. The changes include an addition of the Idaho State Police policy on fingerprint cards to the instructions and clarification of ownership to question eleven. Mr. Vollmer made a motion to accept the proposed changes. It was seconded by Mr. Calhoun. Motion carried.

Mr. Ellsworth presented the Board with a draft of proposed changes to the affidavit for all Appraisal Management Company applications. Mr. Calhoun made a motion to accept the changes to the affidavit for all Appraisal Management Company applications. It was seconded by Mr. Brinton. Motion carried.

Ms. Hall presented the Board with a draft of the proposed application to change the designated controlling person of an Appraisal Management Company and a draft of the proposed application to change owners and controlling persons of an Appraisal Management Company.

Mr. Calhoun made a motion to approve the application to change the designated controlling person of an Appraisal Management Company with inclusion of the modified affidavit. It was seconded by Ms. McClaran. Mr. Calhoun amended his previous motion to include acceptance of the proposed application to change owners and controlling persons of an Appraisal Management Company with inclusion of the modified affidavit. It was seconded by Ms. McClaran. Motion carried.

Ms. Hall presented the Board with a draft of the proposed application to change the registered agent of an Appraisal Management Company. Ms. McClaran made a motion to accept the application to change the registered agent of an

Appraisal Management Company. It was seconded by Mr. Calhoun. Motion carried.

PLAQUES

Mr. Brinton made a motion for plaques to be ordered on a continuous basis for Board members whose terms are expiring. It was seconded by Mr. Vollmer. Motion carried.

CORRESPONDENCE

The Board reviewed correspondence regarding a question of when a trainee's experience hours can be counted as supervised by a secondary supervisor. The Board determined that experience begins after the Board has received and processed the Registered Appraiser Trainee Amended Application. Experience hours will not be approved retroactively.

EXECUTIVE SESSION

Mr. Calhoun made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Brinton. The vote was: Mr. Morgan, aye; Mr. Calhoun, aye; Ms. McClaran, aye; Mr. Vollmer, aye; and Mr. Brinton, aye. Motion carried.

Ms. McClaran made a motion to come out of executive session. It was seconded by Mr. Vollmer. The vote was: Mr. Morgan, aye; Mr. Calhoun, aye; Ms. McClaran, aye; Mr. Vollmer, aye; and Mr. Brinton, aye. Motion carried.

APPLICATIONS

Mr. Calhoun made a motion to approve the following AMCs for registration pending receipt of satisfactory fingerprint background checks and submission of unsatisfactory fingerprint background checks to the Chair for review:

901153374
901153300
901153372
901153392
901153227
901153444
901153371
901153097

It was seconded by Mr. Vollmer. Motion carried.

Mr. Calhoun made a motion to table applicant 901153120 pending submission of further documentation on matters identified in the fingerprint background check and review by the Chair. It was seconded by Mr. Brinton. Motion carried.

CE COURSES

Mr. Calhoun made a motion to approve the following continuing education courses:

ALLTERRA GROUP – 2017 COLLATERAL MATTERS
ALLTERRA GROUP – 2017 KEYNOTE/EMERGING ISSUES
ASFMRA – ADVANCED RURAL CASE STUDIES
APPRAISAL INSTITUTE – SOLVING LAND VALUATION PUZZLES
APPRAISAL INSTITUTE – PRACTICAL APPLICATIONS IN APPRAISING GREEN
COMMERCIAL PROPERTIES
APPRAISAL INSTITUTE SEATTLE CHAPTER – FALL REAL ESTATE
CONFERENCE 2017

It was seconded by Mr. Vollmer. Motion carried.

APPLICATIONS

Mr. Calhoun made a motion to table applicant 901153271 pending additional information. It was seconded by Mr. Vollmer. Motion carried.

Mr. Calhoun made a motion to table applicant 901080709 pending additional information. It was seconded by Mr. Brinton. Motion carried.

ELECTION

Mr. Calhoun made a motion to retain the current slate of officers; Mr. Morgan as Chair and Mr. Calhoun as Vice-Chair. It was seconded by Mr. Vollmer. Motion carried.

NEXT MEETING was scheduled for October 23, 2017 at 8:30 AM.

ADJOURNMENT

Mr. Vollmer made a motion to adjourn the meeting at 11:17 AM. It was seconded by Mr. Brinton. Motion carried.